

The 22nd January, 1985

No. 9/5/834-6Lab/449.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Pelco Electronics and Engineering Ltd., Plot No. 313, Sector 24, Faridabad.

**BEFORE SHRI R. N. BATRA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD**

Reference No. 523/1983

between

**SHRI UDAY BHAN SINGH, WORKMAN AND THE MANAGEMENT OF M/S PELCO
ELECTRONICS & ENGINEERING LTD., PLOT NO. 313, SECTOR 24, FARIDABAD**

Present :

Shri Manohar Lal, for the workman.

None for the Management.

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between Shri Uday Bhan Singh, workman and the Management of M/s Pelco Electronics & Engineering Ltd., Plot No. 313, Sector 24, Faridabad, to this Tribunal, for adjudication:—

Whether the termination of service of Shri Uday Bhan Singh, was justified and in order ? If not, to what relief is he entitled ?

Notices were issued to both the parties. It may be mentioned that on the last date of hearing, none appeared on behalf of the management even though they were represented previously and as such *ex parte* proceedings were ordered against the Management. Shri Uday Bhan workman has appeared as WW-1 and stated that he was employed by M/s Paras Electronics (P) Ltd., Faridabad on 9th October, 1980,—*vide* letter Ex. W-1 and that he was later on confirmed,—*vide* letter Ex. W-2. He further stated that he was transferred to M/s Pelco Electronics and Engineering Ltd. Faridabad (Respondent) on 1st June, 1982 and that his previous services was continued,—*vide* letter Ex. W-3. He then stated that he was on leave from 27th February, 1983 to 5th March, 1983 which was duly sanctioned and that 6th March, 1983 was a holiday due to which he came for duty on 7th March, 1983 but was not allowed to join duty. He further stated that he also came on the next date but in vain and his services were terminated illegally and that no compensation was paid to him.

The testimony of WW-1 Shri Uday Bhan, goes to show that the claimant previously joined the service of M/s Paras Electronics Pvt. Ltd., Faridabad on 9th October, 1980 and was transferred to the respondent factory,—*vide* letter Ex. M-3 dated 1st June, 1982 and that he was granted leave from 7th February, 1983 to 5th March, 1983 but was not allowed to join duty on 7th March, 1983 because 6th March, 1983 was a holiday and his testimony further shows that no compensation was paid to him while terminating his services and as such the provisions of Section 25-F of the Industrial Disputes Act, 1947 have not been complied with. Consequently the order terminating the services of the claimant was not justified and in order and as such the claimant is entitled to reinstatement with full back wages. The award is passed accordingly.

Dated the 14th January, 1985.

**R. N. BATRA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.**

Endst. No. 62, dated the 14th January, 1985.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

**R. N. BATRA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.**